

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**VIASAT, INC.,**

**Plaintiff,**

**vs.**

**KIOXIA CORPORATION and KIOXIA  
AMERICA, INC.,**

**Defendants.**

**Case No.: 6:21-cv-01231-ADA**

**JURY TRIAL DEMANDED**

**CASE READINESS STATUS REPORT**

Plaintiff Viasat, Inc. and Defendants Kioxia Corporation and Kioxia America, Inc. hereby provide the following status report.

**SCHEDULE**

A scheduling order has not yet been filed.

**FILING AND EXTENSIONS**

On November 29, 2021, Viasat filed its complaint alleging that Kioxia infringes one patent related to error correction for flash memory. The asserted patent is U.S. Patent No. 8,615,700.

There has been one extension to date. On December 10, 2021, the Court granted an extension for Kioxia to respond to the complaint by April 1, 2022.

**RESPONSE TO THE COMPLAINT**

Kioxia moved to dismiss the complaint on April 1, 2022. D.I. 29. Kioxia moved to dismiss Viasat's infringement claims under Rule 12(b)(6).

**PENDING MOTIONS**

Kioxia's motion to dismiss is currently pending. Viasat intends to amend its complaint by April 22, 2022. Rule 15(a)(B).

**RELATED CASES IN THIS JUDICIAL DISTRICT**

Viasat also asserts the '700 patent in *Viasat, Inc. v. Western Digital Corp.*, 6:21-cv-01230-ADA.

**IPR, CBM, AND OTHER PGR FILINGS**

There are no known IPR, CBM, or other PGR filings.

**NUMBER OF ASSERTED PATENTS AND CLAIMS**

Viasat has asserted 1 patent and one illustrative claim in the complaint. Viasat will serve its preliminary infringement contentions, in which it will assert additional claims, no later than seven days before the CMC.

**APPOINTMENT OF TECHNICAL ADVISOR**

The parties do not request a technical advisor to be appointed to the case.

**MEET AND CONFER STATUS**

Plaintiff and Defendant met and conferred. The parties have no pre-*Markman* issues to raise at the CMC.

Respectfully submitted,

Dated: April 8, 2022

/s/ Melissa R. Smith

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**CERTIFICATE OF SERVICE**

I certify that, on April 8, 2022, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF System, which will then send a notification of such filing (NEF) to counsel of record for Lauri Valjakka.

/s/ Melissa R. Smith